



1613 Rec'd PCT/PTO 26 MAR 2001

H2

BOX MISSING PARTS
PATENT
0020-4802P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: AZUMA, Ichiro et al. Conf.:
Appl. No.: 09/743,750 Group: UNASSIGNED
Filed: January 16, 2001 Examiner: UNASSIGNED
For: FORMULATIONS USEFUL FOR IMMUNOTHERAPY
FOR CANCERS CONTAINING BACTERIAL
COMPONENT AS AN ACTIVE INGREDIENT

LETTER

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, DC 20231

March 26, 2001

Sir:

Applicant wishes to advise the United States Patent and Trademark Office that a Declaration was filed on March 22, 2001, to perfect Applicant's filing requirements.

The filing requirements were perfected prior to the receipt of the Notice to File Missing Parts of Nonprovisional Application, a copy of which is attached hereto.

As evidence of Applicant's previous submission of a Declaration in connection with the present application, Applicant encloses a copy of the postcard indicating receipt of the

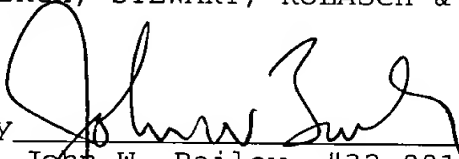
Appl. No. 09/743,750

Declaration by the United States Patent and Trademark Office and payment of the appropriate fees by the Applicant.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
John W. Bailey, #32,881

JWB:bmp
0020-4802P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

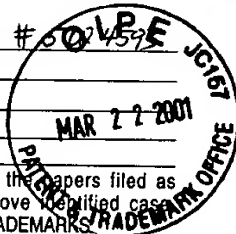
Attachments: Copy of Notice to File Missing Parts
Copy of Postcard Receipt

(Rev. 01/22/01)

Papers Filed herewith on: 22 March 2001 **4**
DOCKET NO.: 0020-4802 P ATTY.: JWB
APPLICANT(S): AZUMA et al
APPLN. NO.: 09/743,750 FILED: 1-16-2001
PAT NO.:

- ☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☐ Filing Under 37 CFR 1.114(RCE)
☐ Specification Consisting of: _____ pages
☐ Combined Declaration & Power of Attorney
☒ Assignment / Cover Letter
☐ Letter to Official Draftsman
☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☐ Red-Ink
☐ Completion of Filing Requirements, PCT/DO/EO/905
or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc. _____
☐ Amendment: _____
☐ Transmt Ltr ☐ Large Entity ☐ Small Entity
☐ Response _____
☐ Information Disc Stmnt. PTO-1449(s) _____ ref(s)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☒ FEES: \$40.00 - check # 504592
☐ Letter: _____
☐ Other: _____

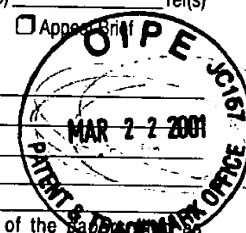
Receipt is hereby acknowledged of the papers filed as
indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 4-16-2001
Handcarry: _____



Papers Filed herewith on: March 22, 2001 **5**
DOCKET NO.: 0020-4802 P ATTY.: JWB
APPLICANT(S): AZUMA Ichiro et al.
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☒ Completion of Filing Requirements, PCT/DO/EO/905
or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc. _____
☐ Amendment: _____
☐ Transmt Ltr ☐ Large Entity ☐ Small Entity
☐ Response _____
☐ Information Disc Stmnt. PTO-1449(s) _____ ref(s)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☐ FEES: _____
☐ Letter: _____
☐ Other: _____

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COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 4-16-2001
Handcarry: _____



DOCKET NO. 0020-4802 P

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/743750	AZUMA	0020-4802P
BIRCH STEWART KOLASCH & BIRCH 8110 GATEHOUSE ROAD SUITE 500 EAST FALLS CHURCH, VA 22042		
INTERNATIONAL APPLICATION NO.		
PCT/JP99/03837		
I.A. FILING DATE		PRIORITY DATE
16 JUL 99		16 JUL 98
DATE MAILED: 16 MAR 2001		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☒ a non-English language.
☐ English.
☒ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☒ Translation of Annexes to the International Preliminary Examination Report into English.
☒ Preliminary amendment(s) filed 16 JAN 2001 and _____
☒ Information Disclosure Statement(s) filed 16 JAN 2001 and _____
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____
☐ Verified Statement Claiming Small Entity Status.
☒ Priority Document.
☒ Copy of the International Search Report ☒ and copies of the references cited therein.
☐ Other:

4-16201 ES
DOCKETED
Perfect

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:
☐ PCT/DO/EO/917
☐ PTO-875
☐ FORM PCT/DO/EO/905 (December)

☐ Notice of Defective Translation

Fred Smith

Telephone: 703-305-3654